INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

OFFICIAL RECORDS

FOURTEENTH MEETING OF STATES PARTIES

DECISIONS

UNITED NATIONS

CERD/SP/45

INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

OFFICIAL RECORDS:
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15 January 1992

DECISIONS

UNITED NATIONS
New York, 1992

NOTE

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CERD/SP/45

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AGENDA

1. Opening of the Meeting by the representative of the Secretary-General.
2. Election of the Chairman.
3. Adoption of the agenda.
4. Election of other officers of the Meeting.
5. Election of the nine members of the Committee on the Elimination of Racial Discrimination to replace those whose terms of office will expire on 19 January 1992, in accordance with article 8, paragraphs 1 to 5, of the Convention.
6. Provision of sufficient resources to ensure the effective functioning of the Committee on the Elimination of Racial Discrimination.
7. Consideration of a proposed amendment to article 8, paragraph 6, of the Convention.
8. Other matters.

DECISIONS OF THE FOURTEENTH MEETING OF STATES PARTIES

Adoption of the agenda

The Fourteenth Meeting of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination adopted the provisional agenda submitted by the Secretary-General.

Election of nine members of the Committee on the Elimination of Racial Discrimination

In accordance with article 8 of the Convention, the States parties elected nine members of the Committee on the Elimination of Racial Discrimination to replace those whose terms of office were to expire on 19 January 1992. The following members were elected by secret ballot for a term of four years, beginning 20 January 1992:

Mr. Theodoor VAN BOVEN (Netherlands);

Mr. Ion DIACONU (Romania);

Mr. Eduardo FERRERO COSTA (Peru);

Mr. Ivan GARVALOV (Bulgaria);

Mr. Yuri A. RECHETOV (Russian Federation);

Mrs. Shanti SADIQ ALI (India);

Mr. SONG Shuhua (China);

Mr. Luis VALENCIA RODRÍGUEZ (Ecuador);

Mr. Mario Jorge YUTZIS (Argentina).

Provision of sufficient resources to ensure the effective functioning of the Committee on the Elimination of Racial Discrimination

The Meeting of States parties took note of the report of the Secretary-General (CERD/SP/43) concerning the responsibilities of the States parties for the expenses of the members of the Committee under article 8, paragraph 6, of the Convention, and requested the Secretary-General to continue to report to the Meeting of States parties on the Committee's financial status.

Consideration of a proposed amendment to article 8, paragraph 6, of the Convention

(*a*) The Meeting of States parties considered the note of the Secretary-General (CERD/SP/44) concerning draft resolution CERD/SP/1992/L.1 proposing an amendment to article 8, paragraph 6, of the Convention.

(*b*) The Meeting adopted draft resolution CERD/SP/1992/L.1 without a vote (see annex).

STATES PARTIES TO THE CONVENTION AS AT 15 JANUARY 1992

Afghanistan
Algeria
Antigua and Barbuda
Argentina
Australia
Austria
Bahamas
Bangladesh
Barbados
Belarus
Belgium
Bolivia
Botswana
Brazil
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Central African Repubic
Chad
Chile
China
Colombia
Congo
Costa Rica
Côte d'Ivoire
Cuba
Cyprus
Czech and Slovak Federal Republic
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Fiji
Finland
France
Gabon
Gambia
Germany
Ghana
Greece
Guatemala
Guinea
Guyana
Haiti
Holy See
Hungary
Iceland
India
Iran (Islamic Republic of)
Iraq
Israel
Italy
Jamaica
Jordan
Kuwait
Lao People's Democratic Republic
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Luxembourg
Madagascar
Maldives
Mali
Malta
Mauritania
Mauritius
Mexico
Mongolia
Morocco
Mozambique
Namibia
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Pakistan
Panama
Papua New Guinea
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea
Romania
Russian Federation
Rwanda
Saint Lucia
Saint Vincent and the Grenadines
Senegal
Seychelles
Sierra Leone
Solomon Islands
Somalia
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Syrian Arab Republic
Togo
Tonga
Trinidad and Tobago
Tunisia
Uganda
Ukraine
United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
Uruguay
Venezuela
Viet Nam
Yemen
Yugoslavia
Zaire
Zambia
Zimbabwe

OFFICERS OF THE FOURTEENTH MEETING

Chairman: Mr. Martin Johannes HUSLID (Norway).

Vice-Chairmen: Mr. Anatoliy T. OLIYNYK (Ukraine);
Ms. Marjorie THORPE (Trinidad and Tobago);
Mr. Nouhad MAHMOUD (Lebanon);
Mr. Balla Moussa CAMARA (Guinea).

LIST OF DOCUMENTS ISSUED FOR THE FOURTEENTH MEETING OF STATES PARTIES

Document No.	*Title*
CERD/SP/41 and Rev.1	Provisional agenda of the Fourteenth Meeting of the States parties
CERD/SP/42 and Add.1, Add.2, Add.3, Add.4, Add.5 and Add.6	Election of nine members of the Committee on the Elimination of Racial Discrimination to replace those whose terms will expire on 19 January 1992, in accordance with the provisions of article 8 of the Convention: note by the Secretary-General
CERD/SP/43	Responsibilities of the States parties for the expenses of the members of the Committee under article 8, paragraph 6, of the International Convention on the Elimination of All Forms of Racial Discrimination: Report of the Secretary-General
CERD/SP/44	Consideration of the request for revision of article 8, paragraph 6, of the International Convention on the Elimination of All Forms of Racial Discrimination
CERD/SP/1992/L.1	Proposed amendment to article 8, paragraph 6, of the International Convention on the Elimination of All Forms of Racial Discrimination on arrangements for meeting the expenses of members of the Committee on the Elimination of Racial Discrimination while in performance of their duties
CERD/SP/SR.22	Summary records of the twenty-second meeting
CERD/SP/45	Official Records of the International Convention on the Elimination of All Forms of Racial Discrimination: Thirteenth Meeting of States parties, Decisions

ANNEX

Decision to amend article 8, paragraph 6, of the Convention on the Elimination of All Forms of Racial Discrimination on arrangements for meeting the expenses of members of the Committee on the Elimination of Racial Discrimination while in performance of their duties

The States parties to the International Convention on the Elimination of All Forms of Racial Discrimination,

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights convention adopted under the auspices of the United Nations, as well as the contribution of the Committee on the Elimination of Racial Discrimination to the United Nations efforts to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Concerned that the financial arrangements for meeting the expenses of members of the Committee on the Elimination of Racial Discrimination, in conformity with article 8, paragraph 6, of the Convention, have not proved sufficient to ensure that the Committee can discharge its mandate effectively,

Recalling the decisions adopted by the Eleventh, Twelfth and Thirteenth Meetings of States parties appealing to all States parties to meet in full their financial obligations under article 8, paragraph 6,

Recalling also the decisions of the Committee on the serious impediment to its work resulting from the financial situation, including the cancellation and shortening of meetings,[1]

Noting the concern expressed by the Chairman of the Committee about the continuing financial problems in his letter of 14 November 1989,[2]

Aware that the General Assembly has, in its resolutions 41/105, 42/57, 43/96, 44/68 and 45/88, expressed grave concern at the continuing deterioration of the proper functioning of the Committee as a result of interruptions to its meeting schedule and has made reiterated appeals to all States parties to fulfil their financial obligations without delay,

Noting also that the General Assembly has endorsed the recommendations of the 1988 and 1990 meetings of the chairpersons of human rights treaty monitoring bodies on the need to ensure adequate financing and adequate staffing resources for the operations of the treaty bodies, and in particular that the General Assembly in its resolution 46/111 endorsed the recommendation of the 1990 meeting of chairpersons that the General Assembly take appropriate measures to ensure the financing of each of the monitoring committees from the regular budget of the United Nations,

Taking note of the General Assembly's request in the resolution 46/83 and 46/111 that the States parties to the Convention consider, as a matter of priority, all possibilities of establishing a more secure basis for the future financing of all the costs of the Committee, including possible amendment to the funding provisions of the treaty,

Noting the proposed amendment to article 8, paragraph 6, put forward by the Government of Australia[3] in accordance with article 23, paragraph 1, of the Convention,

Taking note further of General Assembly decision 46/428 in accordance with article 23, paragraph 2, of the Convention, requesting that the current meeting of States parties consider the proposed amendment and to limit the scope of any revision of the Convention to the question of arrangements for meeting the expenses of Committee members while in performance of their duties,

1. *Decide* to replace paragraph 6 of article 8 of the Convention with the paragraph "The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the Convention.";

2. *Decide* to add a new paragraph, as article 8, paragraph 7, "The members of the Committee established under the present Convention shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide.";

3. *Recommend* that the General Assembly approve these amendments at its forty-seventh session;

4. *Decide* that the amendment shall enter into force when it has been approved by the General Assembly and accepted by a two thirds majority of States parties which shall have so notified the Secretary-General as depositary;

5. *Urge* all States parties to meet their financial obligations under the existing article 8, paragraph 6, in full until such time as the amendment in paragraph 1 above enters into force;

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[1] CERD 1989 (XXXVII) I, 1988 (XXXVI) I, 1987 (XXXIV) II, (XXXV) I.

[2] CERD/SP/39.

[3] C.N.285.1991.TREATIES-4 of 20 December 1991.

6. *Strongly appeal* to all States parties in arrears in making the contributions required by the existing provisions of the Convention to meet those payments in full;

7. *Emphasize* that the entry into force of the amendments cannot in any way be interpreted as relinquishing the obligation of States parties to meet in full any arrears in payments of their assessed contributions.

22nd Meeting
15 January 1992